

REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application. By this Amendment, Applicant has amended the specification, amended claims 1, 2, 4-6, 10, 11, 13, 16, 19, 20, 24, 40 and 42, and cancelled claims 8, 9, 25-39 and 43.

Claims 1-7, 10-24 and 40-42 are now pending in the application. Independent claims 1, 19 and 40 have been amended to incorporate subject matter of former claims 8 and 9. Additional support for the subject matter added to claims 1, 19 and 40 may be found in the specification of the published application at, for example, paragraphs 0047-0053. Claims 2, 4-6, 10, 11, 13, 16, 20, 24, 40 and 42 have been amended to clarify the claim language and correct technicalities, but not for any reason with regard to the patentability of the recited subject matter. Claims 25-39 and 43, withdrawn from consideration due to the Examiner's Restriction Requirement, have been cancelled without prejudice or disclaimer of the subject matter recited therein.

Objection to the Specification

Applicant has amended the specification to change the title as suggested by the Examiner. (Office Action, p. 2.) Applicant, therefore, requests that the objection to the specification be withdrawn.

Objection to the Drawings

The Examiner objected to Applicant's drawings for failing to include reference indicators included in the specification. (Office Action, pp. 2-3.) The specification has been amended to obviate the Examiner's objections to the drawings. Accordingly, Applicant requests that the Examiner reconsider and withdraw his objection to the drawings.

Objections to the Claims

Applicant has amended claims 2, 5, 6, 10 and 11 to address the concerns expressed by the Examiner in the Office Action. (Office Action, p. 4.) In light of this changes, Applicant request that the objection to these claims be withdrawn.

Rejection Under 35 U.S.C. § 101

Claims 40-42 were rejected under Section 101 for being directed to non-statutory, intangible subject matter. (Office Action, pp. 4-5.) Applicant has amended the specification to delete the term "carrier waves." In addition, claims 40 and 42 have been amended to recite, *inter alia*, "A tangible recording medium" and "A tangible computer-readable recording medium" (emphasis added), respectively. Applicant, therefore, submits that present claims 40 and 42 comply with Section 101 and requests that the rejection of these claims be withdrawn.

Rejection Under 35 U.S.C. § 103(a)

As noted above, independent claims 1, 19 and 42 have been amended to incorporate subject matter of former claims 8 and 9. To the extent that the rejection of former claims 8 and 9 applies to present claims 1, 19 and 42, Applicant respectfully traverses the rejection of under 35 U.S.C. § 103(a) as allegedly not being patentable over U.S. Patent No. 6,628,822 to *Nakabayashi et al.* ("*Nakabayashi*") in view of U.S. Patent No. 7,142,218 to *Yoshida et al.* ("*Yoshida*").

Claims 1, 19 and 40 recite, *inter alia*, "information on the type of illumination comprises at least one of a color temperature of illumination which is expressed by an 8-bit quantization value and a coordinate value having the range of [0,1] in chromaticity coordinates of illumination" and "the information on the illuminance of illumination is a numerical illuminance value which is represented in the units of Lux and has a value equal to or greater than 0." Applicant respectfully submits that *Nakabayashi* and *Yoshida*, taken individually or in combination, do not disclose or suggest these features of claims 1, 19 and

40. Accordingly claims 1, 19 and 40 are allowable over the applied references. Claims 2-7, 10-18, 20-24 and 42 are also allowable at least due to their corresponding dependence from claims 1, 19 and 40.

Conclusion

For the reasons set forth above, Applicant respectfully requests allowance of the pending claims.

In the event that there are any questions concerning this paper, or the application in general, the Examiner is respectfully urged to telephone Applicant's undersigned representative so that prosecution of the application may be expedited.

If additional fees are required for any reason, please charge Deposit Account No. 02-4800 the necessary amount.

Respectfully submitted,

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